

EXHIBIT C

Delaware Court of Chancery

DE Court of Chancery - Statewide

CA4631-CC

Conf Order Hughes, Michael v. Pomeroy It Solutions Inc

The case was last updated by the court on Saturday, August 08, 2009

Header

Case Number: CA4631-CC

Date Filed: 05/29/2009

Date Full Case Retrieved: 08/08/2009

Status: Active

Misc: Corporate Matters

[\[Summary\]](#) [\[Litigants\]](#) [\[Counsel\]](#) [\[Proceedings\]](#) [\[Schedule\]](#)

Summary

Assigned To:

Date Assigned:

Dismissed By:

Litigants

Litigant Type

Plaintiff	Michael Hughes
Defendant	David G Boucher
Defendant	Desert Mountain Acquisition Co
Defendant	Hebron LLC
Defendant	Ronald E Krieg
Defendant	David B Pomeroy II
Defendant	Pomeroy It Solutions Inc
Defendant	Richard S Press
Defendant	Michael A Ruffolo
Defendant	Jonathan Starr
Defendant	Debra E Tibey

Litigant

Counsel

Plaintiff

Long, Brian D	Bracegirdle, Thad J
Rigrodsky & Long PA	Wilks Lukoff & Bracegirdle LLC
919 N Market St Ste 980	1300 N Grant Ave Ste 100
Wilmington DE 19801-	Wilmington DE 19806-

Defendant

Raju, Srinivas M

Richards Layton & Finger PA-Wilmington
920 N King St
Wilmington DE 19801-

Rohrbacher, Blake K
Richards Layton & Finger PA-Wilmington
920 N King St
Wilmington DE 19801-

Proceedings

Entry Date Description

- 1 05/29/2009 verified class action complaint
- 2 05/29/2009 affidavit and verification of michael hughes pursuant to court of chancery rules 23(aa) and 3(aa)
- 3 05/29/2009 supplemental information pursuant to rule 3(a) of the rules of the court of chancery
- 4 05/29/2009 letter to the register in chancery from brian d. long, esquire, requesting issuance of summons pursuant to court of chancery rule 4(c)
- 5 06/02/2009 fed ex summons to brian long esq. (2 org 10 copies)
- 6 06/17/2009 summons and affidavit of personal service from special process server re: pomeroy it solutions, inc.
- 7 06/17/2009 summons and affidavit of personal service from special process server re: hebron llc
- 8 06/17/2009 summons and affidavit of personal service from special process server re: desert mountain acquisition co.
- 9 06/17/2009 summons and affidavit of personal service from special process server re: david g. boucher, ronald e. krieg, david b. pomeroy, ii, richard s. press, michael a. ruffolo, jonathan starr, and debra e. tibey
- 10 06/18/2009 letter to the register in chancery from brian d. long, esquire, enclosing copies of the complaint for mailing upon individual defendants
- 11 06/26/2009 register's certificate, letter, 3114 letters, copy summons, registered mail receipt
- 12 07/02/2009 notice of service of plaintiffs first request for the production of documents and things to all defendants
- 13 07/02/2009 certificate of service for the notice of service of plaintiffs first request for the production of documents and things to all defendants
- 14 07/08/2009 plaintiff's motion for preliminary injunction
- 15 07/08/2009 [proposed] order granting plaintiff's motion for preliminary injunction
- 16 07/08/2009 certificate of service for plaintiff's motion and [proposed] order for preliminary injunction
- 17 07/08/2009 plaintiff's motion for expedited proceedings
- 18 07/08/2009 unreported cases cited in plaintiff's motion for expedited proceedings
- 19 07/08/2009 [proposed] order granting plaintiff's motion for expedited proceedings
- 20 07/08/2009 certificate of service for plaintiff's motion and [proposed] order for expedited proceedings
- 21 07/08/2009 verified amended class action complaint
- 22 07/08/2009 certificate of service for verified amended class action complaint
- 23 07/08/2009 notice of filing an amended complaint
- 24 07/08/2009 exhibit a -- blackline comparing verified amended class action complaint to verified class action complaint
- 25 07/08/2009 certificate of service for notice of filing amended complaint
- 26 07/08/2009 plaintiff's affidavit and verification pursuant to court of chancery rules 23(aa) and 3(aa) for the amended verified class action complaint
- 27 07/08/2009 notice of entry of appearance of thad j. bracegirdle for defendants pomeroy it solutions, inc., david g. boucher, ronald e. krieg, richard s. press, michael a. ruffolo, jonathan starr, and debra e. tibey
- 28 07/08/2009 certificate of service of notice of entry of appearance of thad j. bracegirdle for defendants pomeroy it solutions, inc., david g. boucher, ronald e. krieg, richard s. press, michael a. ruffolo, jonathan starr, and debra e. tibey
- 29 07/09/2009 defendants pomeroy it solutions, inc., david g. boucher, ronald e. krieg, richard s. press, michael a. ruffolo,

jonathan starr and debra e. tibey motion for admission pro hac vice of earle jay maiman
30 07/09/2009 defendants pomeroy it solutions, inc., david g. boucher, ronald e. krieg, richard s. press, michael a. ruffolo, jonathan starr and debra e. tibey proposed order for motion for admission pro hac vice of earle jay maiman
31 07/09/2009 defendants pomeroy it solutions, inc., david g. boucher, ronald e. krieg, richard s. press, michael a. ruffolo, jonathan starr and debra e. tibey certificate of service to motion for admission pro hac vice of earle jay maiman
32 07/09/2009 defendants pomeroy it solutions, inc., david g. boucher, ronald e. krieg, richard s. press, michael a. ruffolo, jonathan starr and debra e. tibey certification to motion for admission pro hac vice of earle jay maiman
33 07/09/2009 defendants pomeroy it solutions, inc., david g. boucher, ronald e. krieg, richard s. press, michael a. ruffolo, jonathan starr, and debra e. tibey's motion for admission pro hac vice of diane m. goderre
34 07/09/2009 defendants pomeroy it solutions, inc., david g. boucher, ronald e. krieg, richard s. press, michael a. ruffolo, jonathan starr, and debra e. tibey's proposed order to motion for admission pro hac vice of diane m. goderre
35 07/09/2009 defendants pomeroy it solutions, inc., david g. boucher, ronald e. krieg, richard s. press, michael a. ruffolo, jonathan starr, and debra e. tibey's certificate of service to motion for admission pro hac vice of diane m. goderre
36 07/09/2009 defendants pomeroy it solutions, inc., david g. boucher, ronald e. krieg, richard s. press, michael a. ruffolo, jonathan starr, and debra e. tibey's certification to motion for admission pro hac vice of diane m. goderre
37 07/09/2009 defendants pomeroy it solutions, inc., david g. boucher, ronald e. krieg, richard s. press, michael a. ruffolo, jonathan starr, and debra e. tibey's motion for admission pro hac vice of anthony j. hornbach
38 07/09/2009 defendants pomeroy it solutions, inc., david g. boucher, ronald e. krieg, richard s. press, michael a. ruffolo, jonathan starr, and debra e. tibey's proposed order to motion for admission pro hac vice of anthony j. hornbach
39 07/09/2009 defendants pomeroy it solutions, inc., david g. boucher, ronald e. krieg, richard s. press, michael a. ruffolo, jonathan starr, and debra e. tibey's certificate of service to motion for admission pro hac vice of anthony j. hornbach
40 07/09/2009 defendants pomeroy it solutions, inc., david g. boucher, ronald e. krieg, richard s. press, michael a. ruffolo, jonathan starr, and debra e. tibey's certification to motion for admission pro hac vice of anthony j. hornbach
41 07/09/2009 granted (defendants pomeroy it solutions, inc., david g. boucher, ronald e. krieg, richard s. press, michael a. ruffolo, jonathan starr and debra e. tibey proposed order for motion for admission pro hac vice of earle jay maiman)
42 07/09/2009 granted (defendants pomeroy it solutions, inc., david g. boucher, ronald e. krieg, richard s. press, michael a. ruffolo, jonathan starr, and debra e. tibey's proposed order to motion for admission pro hac vice of diane m. goderre)
43 07/09/2009 granted (defendants pomeroy it solutions, inc., david g. boucher, ronald e. krieg, richard s. press, michael a. ruffolo, jonathan starr, and debra e. tibey's proposed order to motion for admission pro hac vice of anthony j. hornbach)
44 07/13/2009 notice of appearance of srinivas m. raju and blake rohrbacher as counsel to david b. pomeroy, ii, desert mountain acquisition co. and hebron llc
45 07/13/2009 certificate of service of notice of appearance of srinivas m. raju and blake rohrbacher as counsel to defendants david b. pomeroy, ii, desert mountain acquisition co. and hebron llc
46 07/14/2009 plaintiff's notice of deposition of defendants debra e. tibey, david b. pomeroy, ii, and richard s. press
47 07/14/2009 certificate of service to plaintiff's notice of deposition of defendants debra e. tibey, david b. pomeroy, ii, and richard s. press
48 07/16/2009 motion for commission to obtain a subpoena duces tecum and ad testificandum directed to extension advisors, llc
49 07/16/2009 commission to obtain a subpoena duces tecum and ad testificandum directed to extension advisors, llc
50 07/16/2009 [proposed] order for commission to obtain a subpoena duces tecum and ad testificandum directed to extension advisors, llc
51 07/16/2009 schedule a to commission to obtain a subpoena duces tecum and ad testificandum directed to extension advisors, llc
52 07/16/2009 certificate of service for motion for commission to obtain a subpoena duces tecum and ad testificandum directed to extension advisors, llc
53 07/16/2009 motion for commission to obtain a subpoena duces tecum and ad testificandum directed to houlihan lokey howard & zukin capital, inc.
54 07/16/2009 commission to obtain a subpoena duces tecum and ad testificandum directed to houlihan lokey howard & zukin capital, inc.
55 07/16/2009 [proposed] order for commission to obtain a subpoena duces tecum and ad testificandum directed to houlihan lokey howard & zukin capital, inc.

56 07/16/2009 schedule a to commission to obtain a subpoena duces tecum and ad testificandum directed to houlihan lokey howard & zukin capital, inc.

57 07/16/2009 certificate of service for motion for commission to obtain a subpoena duces tecum and ad testificandum directed to houlihan lokey howard & zukin capital, inc.

58 07/16/2009 letter to hon. william b. chandler iii from thad j. bracegirdle enclosing stipulation and proposed order regarding expedited proceedings

59 07/16/2009 stipulation and proposed order regarding expedited proceedings

60 07/17/2009 stipulation and [proposed] order governing the production and exchange of confidential information

61 07/20/2009 granted (stipulation and proposed order regarding expedited proceedings)

62 07/20/2009 granted (stipulation and [proposed] order governing the production and exchange of confidential information)

63 07/28/2009 answer to verified amended class action complaint on behalf of defendants pomeroy it solutions, inc., david g. boucher, ronald e. krieg, richard s. press, michael a. ruffolo, jonathan starr and debra e. tibey

64 07/28/2009 certificate of service for answer to verified amended class action complaint on behalf of defendants pomeroy it solutions, inc., david g. boucher, ronald e. krieg, richard s. press, michael a. ruffolo, jonathan starr and debra e. tibey

65 07/28/2009 answer to verified amended class action complaint on behalf of defendants david b. pomeroy, ii, desert mountain acquisition co., and hebron llc

66 07/28/2009 certificate of service of answer to verified amended class action complaint on behalf of defendants david b. pomeroy, ii, desert mountain acquisition co., and hebron llc

67 08/04/2009 letter to the honorable william b. chandler, iii, re: motions for commission to obtain subpoenas duces tecum and ad testificandum directed to extension advisors, llc and houlihan lokey howard & zukin capital, inc.

68 08/04/2009 granted ([proposed] order for commission to obtain a subpoena duces tecum and ad testificandum directed to extension advisors, llc)

69 08/04/2009 granted ([proposed] order for commission to obtain a subpoena duces tecum and ad testificandum directed to houlihan lokey howard & zukin capital, inc.)

70 08/05/2009 motion for admission pro hac vice of michael s. jones to represent defendants david b. pomeroy, ii, desert mountain acquisition co. and hebron llc

71 08/05/2009 certification of michael s. jones supporting motion for admission pro hac vice to represent defendants david b. pomeroy, ii, desert mountain acquisition co. and hebron llc

72 08/05/2009 proposed order granting motion for admission pro hac vice of michael s. jones to represent defendants david b. pomeroy, ii, desert mountain acquisition co. and hebron llc

73 08/05/2009 certificate of service to motion for admission pro hac vice of michael s. jones to represent defendants david b. pomeroy, ii, desert mountain acquisition co. and hebron llc

74 08/05/2009 motion for admission pro hac vice of thomas a. prewitt to represent defendants david b. pomeroy, ii, desert mountain acquisition co. and hebron llc

75 08/05/2009 certification of thomas a. prewitt supporting motion for admission pro hac vice to represent defendants david b. pomeroy, ii, desert mountain acquisition co. and hebron llc

76 08/05/2009 proposed order granting motion for admission pro hac vice of thomas a. prewitt to represent defendants david b. pomeroy, ii, desert mountain acquisition co. and hebron llc

77 08/05/2009 certificate of service to motion for admission pro hac vice of thomas a. prewitt to represent defendants david b. pomeroy, ii, desert mountain acquisition co. and hebron llc

78 08/06/2009 granted (proposed order granting motion for admission pro hac vice of michael s. jones to represent defendants david b. pomeroy, ii, desert mountain acquisition co. and hebron llc)

79 08/06/2009 granted (proposed order granting motion for admission pro hac vice of thomas a. prewitt to represent defendants david b. pomeroy, ii, desert mountain acquisition co. and hebron llc)

80 08/07/2009 plaintiff's motion for voluntary dismissal

81 08/07/2009 exhibit a -- [proposed] order of dismissal

82 08/07/2009 exhibit b to plaintiff's motion for voluntary dismissal

83 08/07/2009 certificate of service for the motion and [proposed] order for voluntary dismissal

84 08/07/2009 granted (exhibit a -- [proposed] order of dismissal)

Schedule

No Information is Available for this case

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Case History**HANNINEN, KENNETH VS. POMEROY IT SOLUTIONS, INC., , ET A****Case# 09-CI-01270**

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 Opening Judge HON. JAMES R. SCHRAND
 Current Judge
 Closing Judge

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05/22/2009	Case Filed OTHER <i>SELF-DEALING AND BREACH OF FIDUCIARY DUTY</i>	
05/22/2009	Summons Filed - BOUCHER, DAVID @00000130771 G CERTIFIED MAIL 0414 4143 *CAROL?? B.*	
05/22/2009	Summons Filed - COOGAN, KEITH @00000130773 R CERTIFIED MAIL 0414 4150 SIGNED BY KEITH COOGAN	
05/22/2009	Summons Filed - KRIEG, RONALD @00000130775 E CERTIFIED MAIL 0414 4167 *SIGNATURE NOT LEGIBLE*	
05/22/2009	Summons Filed - POMEROY IT SOLUTIONS, INC., CERTIFIED MAIL 0414 4136 RTND NOT SRVD 5/27/09-N OT DELIVERABLE AS ADDRESSED	
05/22/2009	Summons Filed - PRESS, RICHARD @00000130777 S CERTIFIED MAIL 0414 4174 *SIGNED BY JEANIE PRESS *	
05/22/2009	Summons Filed - RUFFOLO, MICHAEL A CERTIFIED MAIL 0414 4181 *SIGNED BY MICHAEL RUFFOLO*	
05/22/2009	Summons Filed - TIBEY, DEBRA E @00000130781 CERTIFIED MAIL 0414 4198 - RTND NOT SRVD 8/4/09, UNCLAIMED	
05/22/2009	Document Filed COMPLAINT / PETITION AP JURY DEMAND	
05/22/2009	Summons Filed - DESERT MOUNTAIN ACQUISITION CO, CERTIFIED MAIL 0414 4211 STAMPED E.BUCKLEY CAUDIE	
05/22/2009	Summons Filed - HEBRON LLC, @00000130787 CERTIFIED MAIL 0414 4228 STAMPED E. BUCKLEY CAUDIE	



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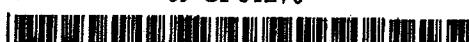
05/22/2009	Summons Filed - POMEROY, II, DAVID B CERTIFIED MAIL 0414 4204 NOT SRVD-RTS NOT DELIVERABLE AS ADDRESSED/UNABLE TO FORWA RD 5/27/09	
05/23/2009	Summons Served/Recalled - KRIEG, @00000130775 RONALD E CERTIFIED MAIL 0414 4167 *SIGNATURE NOT LEGIBLE*	
05/23/2009	Summons Served/Recalled - DESERT @00000130785 MOUNTAIN ACQUISITION CO. CERTIFIED MAIL 0414 4211 STAMPED E.BUCKLEY CAUDIE	
05/23/2009	Summons Served/Recalled - HEBRON @00000130787 LLC, CERTIFIED MAIL 0414 4228 STAMPED E. BUCKLEY CAUDIE	
05/26/2009	Summons Served/Recalled - @00000130771 BOUCHER, DAVID G CERTIFIED MAIL 0414 4143 *CAROL?? B.*	
05/26/2009	Summons Served/Recalled - @00000130773 COOGAN, KEITH R CERTIFIED MAIL 0414 4150 SIGNED BY KEITH COOGAN	
05/28/2009	Summons Filed - STARR, @00000131080 JONATHAN CERTIFIED MAIL 0415-4951 ALIAS SUMMONS *SIGNED BY JONATHAN STARR*	
06/01/2009	Summons Served/Recalled - PRESS, @00000130777 RICHARD S CERTIFIED MAIL 0414 4174 *SIGNED BY JEANIE PRESS *	
06/04/2009	Summons Filed - POMEROY, II, @00000131521 DAVID B CERTIFIED MAIL ALIAS-0415 5330 SRV@42475 N. 112TH ST. SCOTTSDALE AZ. 85262 CM RET UNSERV'D ON 7-9-09 "UNCLMD"	
06/04/2009	Summons Filed - POMEROY IT @00000131524 SOLUTIONS, INC., CERTIFIED MAIL ALIAS-0415 5354 SRV @ CT CORP SYS TEM	

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06/05/2009	Summons Served/Recalled - POMEROY IT SOLUTIONS, INC., CERTIFIED MAIL ALIAS-0415 5354 SRV @ CT CORP SYSTEM	@00000131524	
06/10/2009	Document Filed ENTRY OF APPEARANCE AD <i>OF THOMAS A. PREWITT FOR DAVID B. POMEROY II, HEBRON LLC, & DESERT MOUNTAIN ACQUISITION CO.</i>		
06/12/2009	Summons Served/Recalled - RUFFOLO, MICHAEL A CERTIFIED MAIL 0414 4181 *SIGNED BY MICHAEL RUFFOLO*	@00000130779	
06/12/2009	Document Filed ENTRY OF APPEARANCE AD <i>OF EARLE JAY MAIMAN TO REPRESENT DEFENDANTS: POMEROY IT SOLUTIONS INC., DAVID BOUCHER, KEITH COOGAN, RONALD KRIEG, RICHARD PRESS, MICHAEL RUFFOLO, JONATHAN STARR, DEBRA TIBEY</i>		
06/16/2009	Summons Served/Recalled - STARR, @00000131080 JONATHAN CERTIFIED MAIL 0415-4951 ALIAS SUMMONS *SIGNED BY JONATHAN STARR*		
07/09/2009	Motion Filed MOTION FOR TEMPORARY INJUNCTION ATTORNEY FOR PLAINTIFF		
07/09/2009	Motion Filed MOTION - OTHER ATTORNEY FOR PLAINTIFF <i>FOR EXPEDITED DISCOVERY AND AN ADVANCED HEARING ON PLAINTIFF'S MOTION FOR TEMPORARY INJUNCTION</i>		
07/10/2009	Document Filed MISCELLANEOUS AP <i>VERIFIED AMENDED CLASS ACTION COMPLAINT BASED UPON SELF DEALING AND BREACH OF FIDUCIARY DUTY</i>		
07/13/2009	Document Filed NOTICE - OTHER AD <i>MOTION FOR STAY OF PROCEEDINGS BY DEFENDANTS POMEROY IT SOLUTIONS INC. DAVID G BOUCHER, KEITH R COOGAN, RONALD E KRIEG, RICHARD PRESS, MICHAEL A RUFFOLO, JONATHAN STARR AND DEBRA E TIBEY</i>		
07/14/2009	Scheduled Event MOTION HOUR HON. JAMES R. SCHRAND	Jul 14 2009 at 09:00 AM	



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07/15/2009	Document Filed ORDER - OTHER JUD <i>PLAINTIFF HAS UNTIL 7/17/09 TO RESPOND, DEF. HAS UNTIL 7/21/09 TO REPLY *HEARING IS SET ON DEF.'S MOTION TO STAY PROCEEDINGS ON 7/23/09 @2PM*</i>
07/15/2009	NOE to All Counsel of Record and Parties Not Represented by Counsel. ORDER - OTHER FIRST CLASS MAIL <i>PLAINTIFF HAS UNTIL 7/17/09 TO RESPOND, DEF. HAS UNTIL 7/21/09 TO REPLY *HEARING IS SET ON DEF.'S MOTION TO STAY PROCEEDINGS ON 7/23/09 @2PM*</i>
07/17/2009	Document Filed RESPONSE AP <i>IN OPPOSITION TO DEFENDANT'S MOTION TO STAY</i>
07/21/2009	Document Filed REPLY AP <i>REPLY MEMORANDUM IN SUPPORT OF MOTION FOR STAY OF PROCEEDINGS</i>
07/23/2009	Scheduled Event Jul 23 2009 at 2:00 PM OTHER HEARING HON. JAMES R. SCHRAND <i>*ON DEF.'S MOTION TO STAY PROCEEDINGS*</i>
07/23/2009	Document Filed NOTICE OF FILING AP <i>MOTION FOR ADMISSION PRO HAC VICE OF CULLIN A. O'BRIAN</i>
07/23/2009	Document Filed NOTICE OF FILING AP <i>MOTION FOR ADMISSION PRO HAC VICE OF JONATHAN M. STEIN</i>
07/24/2009	Document Filed ORDER FOR APPEARANCE PRO HAC VICE JUD <i>CULLIN O'BRIEN ON BEHALF OF PLAINTIFF</i>
07/24/2009	NOE to All Counsel of Record and Parties Not Represented by Counsel. ORDER FOR APPEARANCE PRO HAC VICE FIRST CLASS MAIL <i>CULLIN O'BRIEN ON BEHALF OF PLAINTIFF</i>
07/24/2009	Document Filed ORDER FOR APPEARANCE PRO HAC VICE JUD <i>OF JONATHAN M. STEIN ON BEHALF OF PLAINTIFF</i>
07/24/2009	NOE to All Counsel of Record and Parties Not Represented by Counsel. ORDER FOR APPEARANCE PRO HAC VICE FIRST CLASS MAIL <i>OF JONATHAN M. STEIN ON BEHALF OF PLAINTIFF</i>



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07/27/2009	Document Filed ORDER OVERRULING JUD <i>DEFENDANT'S MOTION TO STAY PROCEEDINGS</i>	
07/27/2009	NOE to All Counsel of Record and Parties Not Represented by Counsel. ORDER OVERRULING FIRST CLASS MAIL <i>DEFENDANT'S MOTION TO STAY PROCEEDINGS</i>	
07/27/2009	Document Filed NOTICE - OTHER AP <i>NOTICE OF SUPPLEMENTAL AUTHORITY</i>	
07/28/2009	Document Filed RESPONSE AP <i>TO NOTICE OF SUPPLEMENTAL AUTHORITY</i>	